

**IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF NEW MEXICO**

**JUAN MORALES-BRIONES,**

**Movant/Defendant,**

**v.**

**No. 12-cv-0420 JEC/SMV  
10-cr-3303 JEC**

**UNITED STATES OF AMERICA,**

**Respondent/Plaintiff**

**ORDER ADOPTING PROPOSED FINDINGS AND RECOMMENDED DISPOSITION**

THIS MATTER is before the Court on the Magistrate Judge's Proposed Findings and Recommended Disposition [CV Doc. 8; CR Doc. 40<sup>1</sup>] ("PF&RD"), issued on July 20, 2012. Upon reference by the undersigned, the Honorable Stephan M. Vidmar, United States Magistrate Judge, found that Movant/Defendant's Motion under 28 [U.S.C. §] 2255 to Vacate, Set Aside, or Correct Sentence by Person in Federal Custody [CV Doc. 1; CR Doc. 31] ("§ 2255 Motion") had failed to show that his sentence violates the Constitution or laws of the United States. PF&RD [CV Doc. 8; CR Doc. 40] at 16. Accordingly, Judge Vidmar recommended that the Court deny the § 2255 Motion and dismiss the case with prejudice. *Id.* No party has filed objections to the PF&RD, and the time for objecting has passed.


**IT IS THEREFORE ORDERED, ADJUDGED, AND DECREED** that the Magistrate Judge's Proposed Findings and Recommended Disposition [CV Doc. 8; CR Doc. 40] are **ADOPTED.**

---

<sup>1</sup> References to the record in case number 12-cv-0420 are "CV Doc. #," and references to the record in case number 10-cr-3303 are "CR Doc. #."

**IT IS FURTHER ORDERED** that the Motion under 28 [U.S.C. §] 2255 to Vacate, Set Aside, or Correct Sentence by Person in Federal Custody [CV Doc. 1; CR Doc. 31] is **DENIED** and the case **DISMISSED WITH PREJUDICE**.

**IT IS SO ORDERED.**

  
\_\_\_\_\_  
**JOHN EDWARDS CONWAY**  
**SENIOR UNITED STATES DISTRICT JUDGE**